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ELECTRONICALLY FILED

DOC #: _____

DATE FILED: 11/22/2023

November 21, 2023

VIA ECF

Hon. Analisa Torres
United States District Judge
United States District Court
500 Pearl Street
New York, New York 10007

Re: *Ye v. Mayorkas, et al.*, No. 23 Civ. 6105 (AT)

Dear Judge Torres:

This Office represents the respondents (collectively, the “government”) in this action brought under the Administrative Procedure Act and seeking to compel the United States Citizenship and Immigration Services (“USCIS”) to adjudicate petitioner’s application for asylum (Form I-589). The government respectfully writes in connection with the Court’s November 15, 2023, Order, which refers to the parties’ failure to file a joint letter and proposed case management plan by November 13, 2023, and extended the deadline for such submissions to December 13, 2023. *See* ECF No. 7.

This Office was unaware of this action until it was served with a copy of the petition just yesterday, as indicated in the attached scan of the envelope of petitioner’s mailing to this Office. Indeed, petitioner did not request issuance of summonses until November 8, 2023. *See* ECF No. 5. Accordingly, as the deadline for the government to respond to the Petition is January 19, 2024, *see* Fed. R. Civ. P. 12(a)(2), the government respectfully requests that the Court extend the deadline for the parties’ joint submissions to January 24, 2024. However, the government notes that service of the Petition appears to be untimely under Rule 4(m) of the Federal Rules of Civil Procedure, as it was not served on all respondents within ninety days of the filing of this action on July 15, 2023, ECF No. 1, and petitioner has not shown good cause for the failure to timely serve.

I thank the Court for its consideration of this letter.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

GRANTED. By **January 24, 2024**, the parties shall file their joint letter and proposed case management plan.

SO ORDERED.

Dated: November 22, 2023
New York, New York



ANALISA TORRES
United States District Judge